

# EXHIBIT 1

Case Type: Personal Injury

STATE OF MINNESOTA

IN DISTRICT COURT

COUNTY OF BLUE EARTH

FIFTH JUDICIAL DISTRICT

H.B., a minor, by and through  
Kathleen Bishop, his Mother and  
Natural Guardian

Court File No.:

Plaintiff,

vs.

## SUMMONS

Walmart, Inc.,

Defendant.

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THIS SUMMONS IS DIRECTED TO DEFENDANT, ABOVE-NAMED:

1. **YOU ARE BEING SUED.** The Plaintiff has started a lawsuit against you. The Plaintiff's Complaint against you is attached to this summons. Do not throw these papers away. They are official papers that affect your rights. You must respond to this lawsuit even though it may not yet be filed with the Court and there may be no court file number on this summons.

2. **YOU MUST REPLY WITHIN 21 DAYS TO PROTECT YOUR RIGHTS.** You must give or mail to the person who signed this summons a **written response** called an Answer within 21 days of the date on which you received this Summons. You must send a copy of your Answer to the person who signed this summons located at: 196 St. Andrews Drive, Suite 100, Mankato, MN 56001.

3. **YOU MUST RESPOND TO EACH CLAIM.** The Answer is your written response to the Plaintiff's Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the Complaint, you must say so in your Answer.

**4. YOU WILL LOSE YOUR CASE IF YOU DO NOT SEND A WRITTEN RESPONSE TO THE COMPLAINT TO THE PERSON WHO SIGNED THIS SUMMONS.**

If you do not Answer within 21 days, you will lose this case. You will not get to tell your side of the story, and the Court may decide against you and award the Plaintiff everything asked for in the complaint. If you do not want to contest the claims stated in the complaint, you do not need to respond. A default judgment can then be entered against you for the relief requested in the complaint.

**5. LEGAL ASSISTANCE.** You may wish to get legal help from a lawyer. If you do not have a lawyer, the Court Administrator may have information about places where you can get legal assistance. **Even if you cannot get legal help, you must still provide a written Answer to protect your rights or you may lose the case.**

**6. ALTERNATIVE DISPUTE RESOLUTION.** The parties may agree to or be ordered to participate in an alternative dispute resolution process under Rule 114 of the Minnesota General Rules of Practice. You must still send your written response to the Complaint even if you expect to use alternative means of resolving this dispute.

**KNUTSON+CASEY LAW FIRM**

Dated: October 20, 2021

  
Timothy Lessman (387478)  
Knutson+Casey Law Firm  
Attorneys for Plaintiff  
196 St. Andrews Dr., Suite 100  
Mankato, MN 56001  
Telephone: 507-344-8888  
Fax: 507-344-8616  
Email: tim@knutsoncasey.com

STATE OF MINNESOTA  
COUNTY OF BLUE EARTH

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## COMPLAINT

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Comes now Plaintiff for her Complaint, states and alleges as follows:

1. That Plaintiffs H.B. and Kathleen Bishop reside in the City of Shawnee, County of Johnson, State of Kansas.
2. That Defendant Walmart, Inc., is located at 1881 Madison Avenue, in the City of Mankato, County of Blue Earth, State of Minnesota and its claims department is headquartered in Lexington, Kentucky on the date of the incident herein.
3. That on or about April 25, 2020, Plaintiff Kathleen Bishop purchased a pre-assembled Huffy Nel Lusso bike from the Walmart Supercenter in Mankato, Minnesota for her son, H.B.
4. That shortly into H.B.'s first ride on the pre-assembled bike, the handlebars on the bike gave way and H.B. fell off the bike, breaking two forearm bones, requiring surgery and physical therapy.
5. That Defendant was negligent in failing to properly assemble the bike.

6. That as a direct and proximate result of Defendant's negligence, Plaintiff suffered severe and permanent injuries, has incurred in the past, and will in the future incur, medical expenses and has in the past and will in the future suffer physical and mental pain, suffering and disability and disfigurement. As a result, Plaintiff has been damaged and injured in an amount greater than Fifty Thousand (\$50,000.00) Dollars.

**PRAYER FOR RELIEF**

Wherefore, Plaintiff prays for the following:

1. For judgment against Defendant in an amount greater than \$50,000.00;
2. For judgment awarding interest, fees, costs, and disbursements resulting from this claim; and
3. For such other and further relief as the court deems just and proper.

**ACKNOWLEDGEMENT:** The undersigned hereby acknowledges that costs, disbursements, and reasonable attorney fees may be awarded pursuant to Minn. Stat. § 549.21, Subd. 2, to the party against whom the allegations in this pleading are asserted.

**KNUTSON+CASEY LAW FIRM**

Dated: October 20, 2021

  
Timothy Lessman (387478)  
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Attorneys for Plaintiff  
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Email: tim@knutsoncasey.com